

### Subpart 1223.3—Hazardous Material Identification and Material Safety Data

#### 1223.303 Contract clause.

The contracting officer shall insert the clause at (TAR) 48 CFR 1252.223–70, Removal or Disposal of Hazardous Substances—Applicable Licenses and Permits, in solicitations and contracts involving the removal or disposal of hazardous waste material.

[59 FR 40279, Aug. 8, 1994]

### Subpart 1223.70—Safety Requirements for Selected DOT Contracts

#### 1223.7000 Contract clauses.

(a) Where all or part of a contract will be performed on Government-owned or leased property, the contracting officer shall insert the clause at (TAR) 48 CFR 1252.223–71, Accident and Fire Reporting.

(b) For all solicitations and contracts under which human test subjects will be utilized, the contracting officer shall insert the clause at (TAR) 48 CFR 1252.223–72, Protection of Human Subjects. Copies of NHTSA Orders 700–1, 700–3 and 700–4 may be obtained in writing from NHTSA, Office of Administrative Operations, Distribution Services, NAD–51, 400 Seventh Street SW., Washington, DC 20590.

[59 FR 40279, Aug. 8, 1994]

## PART 1224—PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION

### Subpart 1224.1—Protection of Individual Privacy

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1224.102–70 Applicability.

1224.103 Procedures.

### Subpart 1224.2—Freedom of Information Act

1224.203 Policy.

AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

SOURCE: 59 FR 40279, Aug. 8, 1994, unless otherwise noted.

### Subpart 1224.1—Protection of Individual Privacy

#### 1224.102–70 Applicability.

(a) Illustrations of systems of records to which the Privacy Act applies and which shall not be released irrespective of whether the Government or a contractor acting on behalf of the Government is maintaining the records include the following:

(1) Personnel, payroll and background records personal to any officer or employee of DOT, or other person, including his or her residential address;

(2) Medical histories and medical records concerning individuals, including applicants for licenses; and

(3) Any other detailed record containing information identifiable with a particular person.

(b) Illustrations of systems of records to which the Privacy Act does not apply include:

(1) Records that are maintained by a contractor on individuals employed by the contractor in the process of providing goods and services to the Federal government; and

(2) The records generated, when contracting with an educational institution, on contract students pursuant to their attendance (e.g., admission forms, grade reports), provided that they are similar to those maintained under contracts with educational institutions to provide training, generated on students working under the contract relative to their attendance (e.g., admission forms, grade reports), similar to those maintained on other students and are commingled with records of other students.

#### 1224.103 Procedures.

DOT's rules and regulations implementing the Privacy Act of 1974 are located at 49 CFR part 10.

[61 FR 50250, Sept. 25, 1996]

### Subpart 1224.2—Freedom of Information Act

#### 1224.203 Policy.

DOT rules and regulations implementing the Freedom of Information Act (FOIA) and the names and addresses of the OA FOIA offices are located in